

## OPINION SUMMARY

### MISSOURI COURT OF APPEALS EASTERN DISTRICT

REGINALD MILLER,	)	ED99265
	)	
Movant,	)	Appeal from the Circuit Court
	)	of the City of St. Louis
v.	)	1022-CC11830
	)	
STATE OF MISSOURI,	)	Honorable Philip D. Heagney
	)	
Respondent.	)	Filed: September 17, 2013

Reginald Miller (Movant) appeal from the motion court's judgment denying on the merits without an evidentiary hearing his untimely filed *pro se* motion for post-conviction relief under Rule 29.15.<sup>1</sup>

VACATED AND REMANDED.

Division Four Holds: The motion court erred in deciding Movant's untimely-filed motion on the merits. When a *pro se* motion for post-conviction relief is untimely filed, the motion court has no authority to address the merits, and the motion must be dismissed.

Opinion by: Gary M. Gaertner, Jr., J.

Lisa S. Van Amburg, P.J., and Patricia L. Cohen, J., concur.

Attorney for Appellant: Lisa M. Stroup

Attorneys for Respondent: Chris Koster and  
Mary H. Moore

**THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT.  
IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND  
SHOULD NOT BE QUOTED OR CITED.**

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<sup>1</sup> All rule references are to Mo. R. Crim. P. 2013, unless otherwise indicated.